

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “side parts lie in planes forming an acute angle with the plane of the glass element” (claim 20) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson et al. (4006565).

Thompson et al. disclose, in Fig. 3, glass partition comprising: a pair of frameless glass side parts 20, 20 attached to a floor 40 and a ceiling 35; a frameless glass element 25 attached nonpositively to the side parts and to the ceiling exclusively by a permanently elastic compound or silicone 42; the glass side parts each having a longitudinal edge, the glass element having a pair of longitudinal edges which are attached to the respective side parts' longitudinal edge; in Fig. 7, a channel 43 installed on the ceiling, the side parts and the glass element being received in the channel and attached nonpositively to the channel by the permanent elastic compound 42; in fig. 3, a pair of channels 43 installed on the floor, the side parts being received in the respective channels and attached nonpositively to the channels by the permanent elastic compound 42; in Fig. 5, vertically oriented stiffening elements 26 attached to the side parts at right angles; the stiffening elements attached to the side parts by the permanently elastic compound (col. 2, lines 40-44); a door 25 installed between the side parts and below the glass element; and the side parts and the glass element are coplanar.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. in view of Beasley (5212926).

Thompson et al. disclose the invention substantially as claimed but not the side parts lying in planes forming an acute angle with the plane of the glass element.

Beasley teaches the side parts 40, 42 lying in planes forming an angle with the plane of a door 52.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to angle the Thompson et al. side parts, as taught by Beasley, in order to create an alcove.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barrows (2032344), Casebolt (3411255), Nielsen et al (4102101), Schimmelpenninck et al. (5853828) show frameless glass panel arrangements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATT J. SMITH whose telephone number is (571) 272-7034. The examiner can normally be reached on T-Th, 8-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard E. Chilcot/
Supervisory Patent Examiner, Art
Unit 3635

MJS /M. J. S./
Examiner, Art Unit 3635
28 May 2008